

641—21.6 (135) Confidentiality.

21.6(1) The department shall maintain the confidentiality of all submitted registry reports of brain and spinal cord injuries and shall not release reports, or any information which can be associated with a particular individual, unless the release is in compliance with the provisions of subrule 21.6(2).

21.6(2) A registry report of a brain or spinal cord injury which is submitted to the department and which can be associated with a particular individual shall be released solely by the department and only under the following conditions:

a. To the particular individual upon receipt of a written request signed by the particular individual and suitable identification presented in person to an employee designated by the department.

b. If the particular individual is a minor, to a parent or attorney of the particular individual upon receipt of a written request signed by a parent or attorney of the individual and of a certified copy of the birth certificate and suitable identification presented to an employee designated by the department.

c. If the particular individual has a court-appointed guardian or if the particular individual is deceased, to the court-appointed guardian or to the executor or administrator of the particular individual's estate upon receipt of a written request signed by the court-appointed guardian, executor, or administrator, and of a certified copy of the order or decree which appoints the guardian, executor, or administrator, and of suitable identification presented to an employee designated by the department.

d. To an attorney or other person who is designated by the particular individual upon receipt of a written request signed by the particular individual and suitable identification presented to an employee designated by the department.

e. To an authorized representative of a study or research project that shall be reviewed and approved by the department's research and ethics review committee and approved by the director of the division of behavioral health. If information identifies individuals with brain or spinal cord injuries, the release of such information for research purposes shall be subject to the terms and conditions set by the department. Such study or research project shall maintain the identifying information as confidential and privileged.

f. The department may transmit transcripts or copies of reported cases to state or national brain and spinal cord injury registries when the reports relate to residents of other states or countries. The agreement shall require that the transcripts or records be used for statistical purposes only and that the identity of reported cases shall not be released.